UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,273	08/09/2001	Makoto Nojima	042203	3277

38834 7590 11/26/2007

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 CONNECTICUT AVENUE, NW
SUITE 700
WASHINGTON, DC 20036

EXAMINER	
SURYAWANSHI, SURESH	

ART UNIT	PAPER NUMBER
2115	

MAIL DATE	DELIVERY MODE
11/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

mv

Office Action Summary	Application No.	Applicant(s)	
	09/890,273	NOJIMA, MAKOTO	
	Examiner	Art Unit	
	Suresh K. Suryawanshi	2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *9/25/07 amendments*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *9-14* is/are allowed.

6)☒ Claim(s) *1-4,7 and 8* is/are rejected.

7)☒ Claim(s) *5 and 6* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-14 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Chan et al (US Patent 6,226,237; hereinafter Chan).

4. As per claim 1, Chan discloses a multimedia electronic device, characterized by comprising a CPU capable of controlling each of circuits [Fig. 1;CPU 120], a reproducer for reading out information from a storage medium [Fig. 1; CD-ROM subsystem 106], a switch for instructing a command generation for said reproducer [Fig. 1; CD-ROM control buttons 142], an output circuit capable of outputting at least an audio signal on the basis of the information read out of said reproducer [Fig. 1; audio output amplifier 146 and audio output transducer 148], and a controller receiving a signal representing the active state of said CPU and a signal representing the operating state of said switch for carrying out supply control of driving power to said

reproducer and said output circuit and output control of a command to said reproducer on the basis of the two signals [Fig. 1; Audio Interface IC 102 works as a controller; col. 4, lines 10-20; col. 5, lines 51-54; col. 6, line 16 -- col. 7, line 13].

5. As per claim 2, Chan discloses a multimedia electronic device, comprising a CPU capable of controlling each of circuits [Fig. 1; CPU 120], a reproducer for reading out information from a storage medium [Fig. 1; CD-ROM subsystem 106], a switch for instructing a command generation for said reproducer [Fig. 1; CD-ROM control buttons 142], an output circuit capable of outputting at least an audio signal on the basis of the information read out of said reproducer [Fig. 1; audio output amplifier 146 and audio output transducer 148], a controller receiving a signal representing the active state of said CPU and a signal representing the operating state of said switch for feeding a power supply control signal and outputting a command to said reproducer on the basis of the two signals [Fig. 1; Audio Interface IC 102 works as a controller; col. 4, lines 10-20; col. 5, lines 51-54; col. 6, line 16 -- col. 7, line 13], and a power supply circuit receiving said power supply control signal and the signal representing the active state of said CPU for supplying said reproducer and said output circuit with driving power when at least one of both the signals is active [Fig. 1; Audio Interface IC 102 works as a controller; col. 4, lines 10-20; col. 5, lines 51-54; col. 6, line 16 -- col. 7, line 13; both the computer subsystem and the CD-ROM subsystem are powered from a battery].

6. As per claim 3, Chan discloses a multimedia electronic device, characterized by comprising a CPU capable of controlling each of circuits [Fig. 1; CPU 120], a reproducer for reading out information from a storage medium [Fig. 1; CD-ROM subsystem 106], a switch for instructing a command generation for said reproducer [Fig. 1; CD-ROM control buttons 142], an output circuit capable of outputting at least an audio signal on the basis of the information read out of said reproducer [Fig. 1; audio output amplifier 146 and audio output transducer 148], a controller receiving a signal representing the active state of said CPU, a signal representing the operating state of said switch, and a signal representing the reproduction output state of said reproducer for carrying out supply control of driving power to said reproducer and said output circuit on the basis of the three signals [Fig. 1; Audio Interface IC 102 works as a controller; col. 4, lines 10-20; col. 5, lines 51-54; col. 6, line 16 -- col. 7, line 13].

7. As per claim 4, Chan discloses a multimedia electronic device, characterized by comprising a CPU capable of controlling each of circuits [Fig. 1; CPU 120], a reproducer for reading out information from a storage medium [Fig. 1; CD-ROM subsystem 106], a switch for instructing a command generation for said reproducer [Fig. 1; CD-ROM control buttons 142], an output circuit capable of outputting at least an audio signal on the basis of the information read out of said reproducer [Fig. 1; audio output amplifier 146 and audio output transducer 148], a controller receiving a signal representing the active state of said CPU, a signal representing the operating state of said switch, and a signal representing the reproduction output state of said reproducer for feeding a power supply control signal on the basis of the three signals [Fig. 1; Audio Interface IC 102 works as a controller; col. 4, lines 10-20; col. 5, lines 51-54; col. 6, line

16 -- col. 7, line 13], and a power supply circuit receiving said power supply control signal and a signal representing the active state of said CPU for supplying said reproducer and said output circuit with driving power when at least one of both the signals is active [Fig. 1; Audio Interface IC 102 works as a controller; col. 4, lines 10-20; col. 5, lines 51-54; col. 6, line 16 -- col. 7, line 13; both the computer subsystem and the CD-ROM subsystem are powered from a battery].

8. As per claim 7, Chan discloses that said CPU is so constructed that it can output a command to said reproducer on the basis of application software operating on an OS [Fig. 1; col. 6, line 16 -- col. 7, line 13].

9. As per claim 8, Chan discloses that said controller electrically switches said CPU and the reproducer when said CPU is inactive [Fig. 1; col. 6, line 16 -- col. 7, line 13].

Allowable Subject Matter

10. Claims 5-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Claims 9-14 allowed.

Response to Arguments

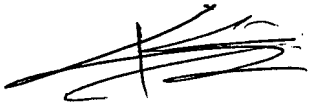
12. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Suresh K. Suryawanshi whose telephone number is 571-272-3668. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Suresh K Suryawanshi